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6 Attorneys for Plaintiff
7 Taras Volgemut

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION

11 Taras Volgemut, an individual,

12 Plaintiff,

13 v.

14 Dieter P. Abt, an individual,

15 Defendant.

Case No. 2:12-cv-06678-JCG

[PROPOSED] DEFAULT JUDGMENT
BY CLERK

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[PROPOSED] DEFAULT JUDGMENT BY CLERK

1 Pursuant to Federal Rules of Civil Procedure 55(a) the Clerk of the above-
2 entitled Court entered a default in this matter against defendant Dieter P. Abt on the
3 ground that said defendant has failed to appear or otherwise respond to the complaint
4 within the time prescribed by the Federal Rules of Civil Procedure. Plaintiff Taras
5 Volgemut has requested a default judgment by Clerk against defendant Dieter P. Abt
6 pursuant to Rule 55(b)(1) of the Federal Rules of Civil Procedure.

7 After full consideration of all matters submitted in connection with the request
8 for default judgment by clerk, the following Default Judgment by Clerk is so entered:

9 1. Defendant to pay Plaintiff damages of \$1,000,000.00 loaned to Defendant
10 pursuant to Loan Agreement;

11 2. Defendant to pay Plaintiff prejudgment interest authorized by Loan
12 Agreement at 9 percent per annum calculated as follows:

13 a. Nine percent interest on the first installment on the loan (\$200,000)
14 loaned on December 5, 2011, seven days before the remaining money was
15 loaned, amounts to \$345.21 (calculated as follows: 9% of \$200,000 equals
16 \$18,000 divided by 365 days equals \$49.32 of interest per day multiplied by 7
17 days equals **\$345.21**), added to

18 b. Nine percent interest on the full \$1,000,000.00 from December 12,
19 2011 through today's date (October 29, 2012) amounts to \$79,398.76
20 (calculated as follows: 9% of \$1,000,000 equals \$90,000 divided by 365 days
21 equals \$246.58 per day multiplied by 322 days equals **\$79,398.76**);

22 c. Thus, as of October 29, 2012, \$79,398.76 plus the \$345.21, totaling
23 **\$79,743.97** is owed in interest to Plaintiff.
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1 3. Defendant to reimburse Plaintiff his attorneys fees pursuant to Central
2 District Local Rule 55-3 in the amount of \$23,600 (\$5600 plus 2% of amount in
3 excess of \$100,000 (i.e. \$900,000.));

4 4. Defendant to reimburse Plaintiff his costs pursuant to Central District Local
5 Rule 54-3 of \$503.86 (bill of costs is contained in declaration of Julie J. Roback).

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9 DATED: _____

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11 _____
12 Clerk for the United States District Court Judge
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